

Issuance Date: March 1, 2005
Effective Date: April 1, 2005
Expiration Date: February 28, 2010

STATE WASTE DISCHARGE PERMIT NUMBER ST 8080

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Eastern Regional Office

In compliance with the provisions of the
State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington, as amended,
authorizes

Royal Ridge Farms
13215 Road F S.W.
Royal City, WA 99357

to discharge wastewater in accordance with the special and general conditions which follow.

<u>Facility Location:</u> East of Royal City, south of state hiway 26 and along Road "F" S.W. (Grant Co.)	<u>Discharge Location:</u> Adjacent to the facility; approximately seven acres in the SW ¼ of Sec. 7, T. 16N, R. 26 E WM
<u>Industry Type:</u> sour and sweet cherries	Latitude: 46° 53' 10" N Longitude: 119° 53' 10" W
<u>SIC Code:</u> 0723	

James M. Bellatty
Water Quality Section Manager
Eastern Regional Office

TABLE OF CONTENTS

SUMMARY OF PERMIT REPORT SUBMITTALS.....	4
SPECIAL CONDITIONS	
S1. DISCHARGE LIMITATIONS	5
S2. MONITORING REQUIREMENTS	5
A. Process Wastewater Monitoring	
B. Irrigated Wastewater Monitoring	
C. Soil Monitoring	
D. Sampling and Analytical Procedures	
E. Flow Measurement	
F. Laboratory Accreditation	
S3. REPORTING AND RECORDKEEPING REQUIREMENTS	8
A. Reporting	
B. Records Retention	
C. Recording of Results	
D. Additional Monitoring by the Permittee	
E. Noncompliance Notification	
F. Maintaining a Copy of This Permit	
S4. FACILITY LOADING	10
S5. OPERATION AND MAINTENANCE.....	10
A. Operations and Maintenance Manual	
B. Bypass Procedures	
C. Irrigation Land Application	
D. Best Management Practices\Pollution Prevention Program	
E. Irrigated Wastewater Flow Meter	
F. Odor	
G. Landscape Site Plant Survey	
S6. SOLID WASTE DISPOSAL	13
A. Solid Waste Handling	
B. Leachate	
C. Solid Waste Control Plan	
S7. COMPLIANCE SCHEDULE.....	13
S8. IRRIGATION REPORT	13
A. Annual Summary of Landscape Irrigation for the Previous Year	
B. Schedule of Operations for Upcoming Year	

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS.....15

G2. RIGHT OF ENTRY15

G3. PERMIT ACTIONS.....16

G4. REPORTING A CAUSE FOR MODIFICATION16

G5. PLAN REVIEW REQUIRED16

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES16

G7. DUTY TO REAPPLY16

G8. PERMIT TRANSFER17

G9. PAYMENT OF FEES.....17

G10. PENALTIES FOR VIOLATING PERMIT CONDITIONS17

SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A.	Discharge Monitoring Report	Monthly	May 15, 2005
S5.E	Irrigated Wastewater Flow Meter	1/permit cycle	September 1, 2005
S5.G	Landscape Site Plant Survey	1/permit cycle	November 1, 2005
S6.C.	Solid Waste Control Plan	1/permit cycle	September 1, 2005
S8.	Irrigation Report	1/year	June 1, 2006
G7.	Application for Permit Renewal	1/permit cycle	January 2, 2009

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to apply process wastewater to land via spray irrigation for the purpose of landscape irrigation and dust control on the following designated irrigation lands:

Approximately seven (7) acres located approximately one mile east of Royal City, WA (Grant Co.), south of state highway 26 and along Road F S.W. in the SW ¼ of Sec. 7, T. 16N, R. 26 E WM.

The system must be operated by the Permittee so as to protect the existing and future beneficial uses of the ground water and not cause a violation of the ground water standards (WAC 173-200).

Discharges shall be subject to the following limitations:

	EFFLUENT LIMITATIONS	
Parameter	Average Monthly	Maximum Daily ^a
Flow (from processing facility)	N/A	300,000 gpd
^a The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day.		

S2. MONITORING REQUIREMENTS

A. Process Wastewater Monitoring

The sampling point for the wastewater from the process facility shall be along the pipeline that extends from the plant to the lined storage pond.

The Permittee shall monitor the wastewater according to the following schedule:

Parameter	Units	Sampling Frequency	Sample Type
Flow (total annual; monthly total, avg., max.)	Gallons; gpd	Continuous ^a	Metered
^a Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. Sampling shall be taken hourly when continuous monitoring is not possible.			

B. Irrigated Wastewater Monitoring

The sampling point for the wastewater irrigated for landscape irrigation and dust control will be at a location that best represents the quality of wastewater being irrigated.

The Permittee shall monitor the irrigated wastewater according to the following schedule:

Parameter	Units	Sampling Frequency	Sample Type
Flow (monthly total, avg., max.; total annual)	gpd	Continuous ^a	metered
pH (min, max)	s.u.	2/ month	grab
TKN (as N) (avg, max)	mg/L; lbs/day	2/ month	grab
Nitrate (as N) (avg, max)	mg/L; lbs/day	2/ month	grab
Ammonia (as N) (avg, max)	mg/L; lbs/day	2/ month	grab
BOD ₅ (avg, max)	mg/L; lbs/day	2/ month	grab
Fixed dissolved solids (avg, max)	mg/L; lbs/day	2/ month	grab
Available ortho-phosphate (as P)	mg/L	1/year ^b	grab
Sodium	mg/L	1/year ^b	grab
Calcium	mg/L	1/year ^b	grab
Magnesium	mg/L	1/year ^b	grab
Potassium	mg/L	1/year ^b	grab
Sulfate	mg/L	1/year ^b	grab
Bicarbonate	mg/L	1/year ^b	grab
^a Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. Sampling shall be taken hourly when continuous monitoring is not possible.			
^b 1/year shall mean August			

C. Soil Monitoring

1. Semi-Annual Monitoring

The Permittee shall perform soil monitoring on the irrigation lands twice per year. Samples will be collected at a time that best represents soil conditions at the beginning and end of the crop growing season.

The sampling sites shall be the seven permanent sites submitted by the Permittee in a 2004 soil sampling plan. Testing at each sampling site shall be done on one foot soil increments. Results shall be submitted annually with the annual Irrigation Report; Section S7.

Composite samples will be for three depths [0-12"; 12-24"; 24-36" (or until auger refusal)] and will be from a minimum of seven (7) cores.

The Permittee shall monitor the soils at the landscape irrigation site according to the following schedule:

Parameter	Units	Depth Increments ¹	
		Fall	Spring
Soluble salts (EC _e)	mmhos/cm	1,2,3	1,2,3
Soil moisture	inches	1,2,3	1,2,3
Ammonia (as N)	mg/Kg	1,2,3	1,2,3
Nitrate (as N)	mg/Kg	1,2,3	1,2,3
pH	s.u.	1	
Exchangeable sodium percentage	%	1	
Organic matter	%	1	
¹ Depth (inches) vs. Depth increment (ft.) for composite samples:			
0 -12"	1		
12-24"	2		
24-36"	3		

D. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

All soil analysis and reporting will be in accordance with *Laboratory Procedures*, Soil Testing Laboratory, Washington State University, November 1981, or the most recent, widely accepted equivalent.

E. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

F. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, pH, and internal process control parameters are exempt from this requirement. pH shall be accredited if the laboratory must otherwise be registered or accredited.

Soils data shall be provided by a reputable agricultural test lab that is an active participant in a nationally recognized agricultural laboratory proficiency testing program.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. The report shall be sent to: Water Quality Permit Coordinator, Department of Ecology, 4601 N. Monroe St., Spokane, Washington, 99205-1295.

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "No Discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within 30 days after becoming aware of the violation;
3. Immediately notify the Department of the failure to comply; and
4. Submit a detailed written report to the Department within thirty days, unless requested earlier by the Department, describing the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Maintaining a Copy of This Permit

A copy of this permit shall be kept at the facility and be made available upon request to Ecology inspectors.

S4. FACILITY LOADING

Design Criteria

Flows of the following design criteria for the permitted treatment facility shall not be exceeded:

Total annual flow to the landscape site for 4.3 MG
irrigation and dust control:

S5. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Operations and Maintenance Manual

The O&M Manual shall be reviewed by the Permittee at least annually. All manual changes or updates shall be submitted to the Department for review whenever they are incorporated into the manual. The approved operation and maintenance manual shall be kept available at the permitted facility.

B. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. *Unavoidable Bypass* -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with condition S3.E "Noncompliance Notification."

2. *Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions* -- Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department at least 30 days before the planned date of bypass. The notice shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Department will consider the following prior to issuing an administrative order:
 - a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
 - b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
 - c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

3. *Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions* -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

C. Irrigation Land Application

1. There shall be no runoff of wastewater applied to land by spray irrigation to any surface waters of the state or to any land not owned by or under control of the Permittee.
2. The Permittee shall use recognized good practices, and all available and reasonable procedures to control odors from the land application system. When notified by the Department, the Permittee shall implement measures to reduce odors to a reasonable minimum.

3. The wastewater shall not be applied to the irrigation lands in quantities that:
 - a. Significantly reduce or destroy the long-term infiltration rate of the soil.
 - b. Would cause long-term anaerobic conditions in the soil.
 - c. Would cause ponding of wastewater and produce objectionable odors or support insects or vectors.
 - d. Would cause leaching losses of constituents of concern beyond the treatment zone or in excess of the approved design. Constituents of concern are constituents in the wastewater, partial decomposition products, or soil constituents that would alter ground water quality in amounts that would affect current and future beneficial uses.
4. The Permittee shall maintain all irrigation agreements for lands not owned for the duration of the permit cycle. Any reduction in irrigation lands by termination of any irrigation agreements may result in permit modification or revocation. The Permittee shall immediately inform the Department in writing of any proposed changes to existing agreements.

D. Best Management Practices\Pollution Prevention Program

The Permittee shall use the following Best Management Practices when using the wastewater for landscape irrigation and dust control:

1. Application rates shall be controlled to prohibit runoff to roadside ditches and not cause erosion.
2. Time the applications for dust control to minimize wash-off by rain events.
3. Application rates shall not cause a public nuisance such as odors.
4. The water shall not be allowed to enter into any Columbia Basin Irrigation Project conveyance structure, or surface water.

E. Irrigated Wastewater Flow Meter

No later than September 1, 2005, the Permittee shall notify the Department, in writing, that a flow meter has been installed that measures the flow from the storage pond to the landscape irrigation site.

F. Odor

Upon notification from Ecology of unacceptable odors from the pond/landscape irrigation site, the Permittee will either stop all landscape irrigation or immediately take all necessary measures to eliminate the odors.

G. Landscape Site Plant Survey

No later than November 1, 2005, the Permittee shall conduct a plant survey of the seven acre landscape site during the month of August 2005 and submit a list of the plant types. The survey shall include a map of predominate plant species.

The list of plant species shall include the common and scientific name to genus and species.

S6. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Solid Waste Control Plan

The Permittee shall submit a solid waste control plan to the Department no later than September 1, 2005. This plan shall include all solid wastes. The plan shall include at a minimum a description, source, generation rate, and disposal methods of these solid wastes. This plan shall not be at variance with any approved local solid waste management plan.

Any proposed revision or modification of the solid waste handling plan must be submitted to the Department. The Permittee shall comply with the plan and any modifications thereof.

S7. IRRIGATION REPORT

An Irrigation Report shall be submitted annually by June 1st for Department review. The plan must be prepared by a soil scientist and shall include the following elements:

A. Annual Summary of Landscape Irrigation for the Previous Year

This summary shall include:

1. A calculated water balance for each month that includes an estimation of the monthly leaching fraction and the total annual flow to the site.

2. Calculated monthly BOD, nitrogen and salt loads, and a comparison of total load values to the estimated values in the 2004 *de minimus* engineering report.
3. Soil testing results. A summary of the soil testing results shall be submitted and discussed. A continuous five year trend analysis of the Fall values for soluble salts (EC_e), soil moisture, ammonia-N, and nitrate-N as measured in Section S2.C shall be reported. The first year of the trend shall be from samples collected in the Fall of 2004.

The trend for each parameter shall be compared to the baseline soil values collected at the landscape site in May 2004.

4. A description of any changes made in the irrigation/pond system.

B. Schedule of Operations for Upcoming Year

This schedule shall include:

1. Any proposed changes in the application of wastewater to the landscape area to maintain good plant-soil conditions or reduce odors.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization, and
 - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection. Representatives of the Department shall be allowed to have access to, and

copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G10. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.